

OCA FILE

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MEMORANDUM FOR: The Director  
The Deputy Director

FROM: John L. Helgerson  
Director of Congressional Affairs

SUBJECT: Weekly Report

Federal Employees Health Benefits Amendments Act. We were successful in adding language into the conference report for a bill which extends temporary health benefits to separated employees, certain unmarried dependent children, and certain former spouses. There was concern about the disclosure of the identities of covert employees from disclosure of information regarding them as well as annuitants, their dependents and former spouses. This concern results from the temporary continuation of coverage for individuals who are not Agency employees and who, but for the report language, would be subject to regulations promulgated by the Office of Personnel Management rather than by the Agency. The report language makes clear that the bill does not interfere with intelligence agencies which administer their own health benefits programs and thus allows the Director to promulgate his own regulations to protect intelligence sources and methods.

Drug Legislation. Overall, the situation on drug legislation is very fluid and changes almost hourly. The following are the latest developments as of the time this report was prepared.

The House Intelligence Committee expressed an interest in taking on the "drug czar" aspect of the drug legislation. We are working with them in this effort and have provided a views letter to the Committee which supplements the DCI's earlier letter on the subject.

The Senate drug bill actually came to the Senate floor on 13 October with votes on several controversial amendments. At the same time, the Senate appeared to be moving towards an agreement on the bill which would allow it to more tightly control floor debate and consideration of the many remaining

amendments. Under the agreement, non-controversial amendments would be included in a "leadership package" of amendments which are assured of adoption; other amendments would have to be considered individually. It appears the agreement may be adopted soon, although this is not certain.

We are supporting elements of the Justice Department in a further effort on the Senate side to press Intelligence Community interests with respect to the Senate drug czar. It appears this may result in the acceptance, into the leadership package, of an amendment which continues to provide intelligence information protection and bolsters, somewhat, the autonomy of the Director vis-a-vis the czar. We are proceeding carefully, though, in order not to jeopardize what has been gained to date. The terms of the amendment will not likely be final until the "leadership" amendment is actually offered. If successful, this will give the House Intelligence Committee more room to maneuver on the issue in a House-Senate conference on the bill.

On 13 October, Senator Cohen took the Senate floor to promote two "drug czar" amendments. The first would strip the Senate czar of his membership on the NSC, making him instead an NSC advisor. The second would move the czar from Level I to Level II on the Executive Schedule, thereby depriving him of cabinet rank. It appears the first amendment will be accepted in the "leadership" package, thereby assuring favorable action, but the second will not, thereby assuring a floor debate should Cohen wish to offer it.

At present, it appears the Senate may be in session late into the night and perhaps over the weekend considering the drug bill. The House is waiting for the Senate to complete action on the bill. If both act quickly and any conference on the bill is relatively brief, adjournment could be as early as October 19th.

  
John L. Helgeson

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